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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MARCO ANTONIO MARCELINO)
FERNANDO MATUTE,)
)
Defendant.)

No. CR 12-70733

**STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

On July 17, 2012, the parties in this case appeared before the Court. At that time, the Court set the matter to July 25, 2012. The parties have agreed to exclude the period of time between July 17, 2012 and July 25, 2012 from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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At the hearing, the Court made findings consistent with this agreement. SO STIPULATED:

MELINDA HAAG
United States Attorney

DATED: July 17, 2012

/s/ _____
CAROLYN SILANE
Special Assistant United States Attorney

DATED: July 17, 2012

_____/s/_____
BRENDAN CONROY
Attorney for MARCO A. M. F. MATUTE

[PROPOSED] ORDER

For the reasons stated above and at the July 17, 2012 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from July 17, 2012 and July 25, 2012 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: July 18, 2012



THE HONORABLE NANDOR J. VADAS
United States Magistrate Judge